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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/938,366	08/24/2001	Jeffrey D. Ollis	D2653	1579

43471 7590 12/28/2005

GENERAL INSTRUMENT CORPORATION DBA THE CONNECTED  
HOME SOLUTIONS BUSINESS OF MOTOROLA, INC.  
101 TOURNAMENT DRIVE  
HORSHAM, PA 19044

EXAMINER

PHUNKULH, BOB A

ART UNIT	PAPER NUMBER
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2661

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/938,366

**Applicant(s)**

OLLIS ET AL.

**Examiner**

Bob A. Phunkulh

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

This communication is in response to applicant's 10/21/2005 amendment(s)/response(s) in the application of **OLLIS et al.** for "**ARCHITECTURE FOR LINKING MULTIPLE INTERNET PROTOCOL TELEPHONY DEVICES HAVING A COMMON TELEPHONE NUMBER**" filed 08/24/2001. The amendments/response to the claims have been entered. Claim 3 has been canceled. No claims have been added. Claims 1-2, 4-38 are now pending.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 4-9, 12, 14-15, 20-23, 25-30, 33, 35, 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kobayashi* (US 2001/0001361).

Regarding claims 1, 25, 38, *Kobayashi* discloses a method for connecting a plurality of devices and which are connected to a network (LAN network 3, see figure 1), comprising the steps of:

looking up the telephone number in a table that associates the telephone number with a plurality of devices having an address (the controller 100 associates telephone

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extension numbers with the plurality of phones 200, 201 having an address, see figure 1 and paragraph 0026-0027 );

establishing a connection with at least one of the devices (as shown in figure 1, establishing a connection with a telephone 200);

establishing a bridge between that device and a secondary device (as shown in figure 1, the telephone 200 and telephone 201 are interconnect via LAN 1 and under the control of telephone controller 100).

*Kobayashi*, fails to explicitly disclose or silent on the plurality of device i.e. phones 200, 201 have a common telephone number.

*Kobayashi*, however, discloses assigning extension telephone number i.e. 100, 101 to each of the telephones (see figures 1 and 2). Also, it is well know in the art that extension telephone number used when there is a common telephone number.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made assigned a common telephone number to each of telephone 200 and 201 in order to allows a external telephone connected to the Internet to make a direct call to a telephone in a LAN while minimizing increase in the telephone numbers.

Regarding claim 2, *Kobayashi* discloses looking up the telephone number in a table is performed by a call agent (call agent 13, see figure 1 and paragraph 17).

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Regarding claim 4, each device has a unique domain name (as shown in figures 2-5, each of the phone have a unique domain name).

Regarding claim 5, *Kobayashi* discloses the communication devices 24 are connected to gateways (router 3, see figure 1).

Regarding claim 6, *Kobayashi* discloses the call agent contacts a gateway, which establishes a connection with a first device (the telephone controller 100 in contacts with the router 3, see figure 1).

Regarding claims 7, 28, *Kobayashi* discloses the gateway contacted by the call agent establishes a bridge to a second gateway, to which a second device is attached (the telephone controller 100 attach to the router 3 and establishes a bridge to a second router, not shown, connected to internet 2, figure 1).

Regarding claims 8, 29, *Kobayashi* discloses the first gateway mixes information from both at least one device attached to the first gateway and at least one device attached to the second gateway (the telephone controller 100 attach to the router 3 and establishes a bridge to a second router, not shown, connected to internet 2, figure 1).

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Regarding claims 9, 30, *Kobayashi* discloses the devices comprise a voice-only telephone (telephony services 200, 201, see figure 1).

Regarding claims 12, 33, *Kobayashi* discloses Voice over Internet Protocol is used to communicate with the devices (see paragraph 0004).

Regarding claims 14, 35, *Kobayashi* discloses the network is attached to the Internet (LAN network 1 is attached to the Internet 2, see figure 1).

Regarding claim 15, *Kobayashi* discloses the network attached to the Internet is an Internet Protocol network (see paragraph 0025).

Regarding claims 20-22, *Kobayashi* discloses or inherently the bridge is established via an Ethernet or CMT, or which ever device is first answered (the link 16 is 10BASE-T or 100BASE-TX Ethernet connection, see paragraph 25).

Regarding claim 23, *Kobayashi* discloses the bridge conveys audio information (VOIP, see paragraph 4).

Regarding claim 26, *Kobayashi* discloses gateways to which the devices are connected (the telephones 200, 201 are connected to router 3, see figure 1).

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Regarding claim 27, *Kobayashi* discloses the call agent contacts a gateway, which establishes a connection with a first device (see figure 1).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-11, 24, 31-32, 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kobayashi*.

Regarding claims 10-11, 24, 31-32, 34 *Kobayashi* fails to disclose at least the devices comprises of a video telephone or the devices is established using media gateway control protocol (MGCP).

However, it would have been obvious to one having ordinary skill in the art at the time of invention was made replace the telephones 200 or 201 or both with video telephone and establishing the connection between the devices using media gateway control protocol (MGCP) for providing multimedia capable telephone call to the users.

Claims 16-19, 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kobayashi* in view of *Moon et al.* (US 5904038), hereinafter *Moon*.

Regarding claim 16-19, and 36-37, *Kobayashi* fails to explicitly disclose the network connected to PSTN.

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*Moon*, on the other hand, discloses the POP 60a is connected to both the PSTN 10 and WAN 30 (see figure 1).

Therefore,, it would have been obvious to one having ordinary skill in the art at the time of invention was made to replace the gateway 3 of *Kobayashi* with POP 60a of *Moon* connecting the router to both PSTN and Internet for providing the caller with option to choose between IP telephony call or PSTN call.

### ***Conclusion***

**Any response to this action should be mailed to:**

The following address mail to be delivered by the United States Postal Service (USPS) only:

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**or faxed to:**

(703) 872-9306, (for formal communications intended for entry)

**Or:**

The following address mail to be delivered by other delivery services (Federal Express (Fed Ex), UPS, DHL, Laser, Action, Purolater, Hand Delivery, etc.) as follow:

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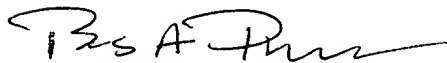


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bob A. Phunkulh** whose telephone number is **(571) 272-3083**. The examiner can normally be reached on Monday-Tuesday from 8:00 A.M. to 5:00 P.M. (first week of the bi-week) and Monday-Friday (for second week of the bi-week).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor **Chau Nguyen**, can be reach on **(571) 272-3126**. The fax phone number for this group is **(703) 872-9306**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Bob A. Phunkulh  
Primary Examiner  
TC 2600

Art Unit 2661  
December 22, 2005

**BOB PHUNKULH**  
**PRIMARY EXAMINER**